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# EDUCATION WEEK

*American Education's Newspaper of Record* | Volume VII, Number 39 / **Extra Edition** | *© 1988 Editorial Projects in Education / $2.00*


## Illinois Awaiting Governor's Pen On Chicago Plan

### *Lawmakers' Bill Sets Total School Overhaul*

**By William Snider**

A bill that represents the most comprehensive effort in decades by a state to restructure a major school system now sits on the desk of Gov. James R. Thompson of Illinois.

In the 60 days that the Governor has to consider the bill, he is likely to feel the same pressure from a broad coalition of Chicagoans that has kept reform of the city's oft-criticized school system alive as an issue despite tremendous political obstacles.

The 112-page bill, which would radically restructure the governance of the nation's third-largest school system by creating an unprecedented role for parent-led councils at each school, barely squeaked through the legislature last month.

The bill includes provisions that would dissolve the current Chicago board of education, mandate a search for a new general superintendent, and slash funding and authority from the district-level bureaucracy. It would also create a new, independent oversight body with significant powers to ensure the reforms are carried out.

The measure has been hailed as "historic" by both insiders and national urban-ed-

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*Off and Running*

## Atlanta: Hot Time For the 'E' Word

**By Julie A. Miller**

ATLANTA—When Gov. Michael S. Dukakis promised Democrats here that he would "make teaching a valued and honored profession again," the line touched off a thunderously enthusiastic demonstration in the hall.

It was one of the most dramatic moments of the emotion-filled July 21 speech by the Massachusetts governor accepting his party's Presidential nomination. And it was a special high point for the 500 conventioneers—fully 10 percent of all the delegates and alternates—affiliated with the nation's teacher unions.

More broadly, the vocal reaction to Mr. Dukakis's promise—accompanied by a vow to "make our schools and universities and laboratories the finest in the world"—reflected the prominent role accorded education themes in the party's program and plans for the fall campaign.

The delegates here adopted a Democratic Party platform that calls for "significant" increases in federal education spending, universal access to higher education, and equalization of financing among school districts.

And those who addressed the convention vowed to increase support for child care, higher teacher salaries, and federal education programs. They expounded on the link between education and competitiveness, and vigorously attacked the Reagan Administration's record, attempting to portray the Democrats as the party

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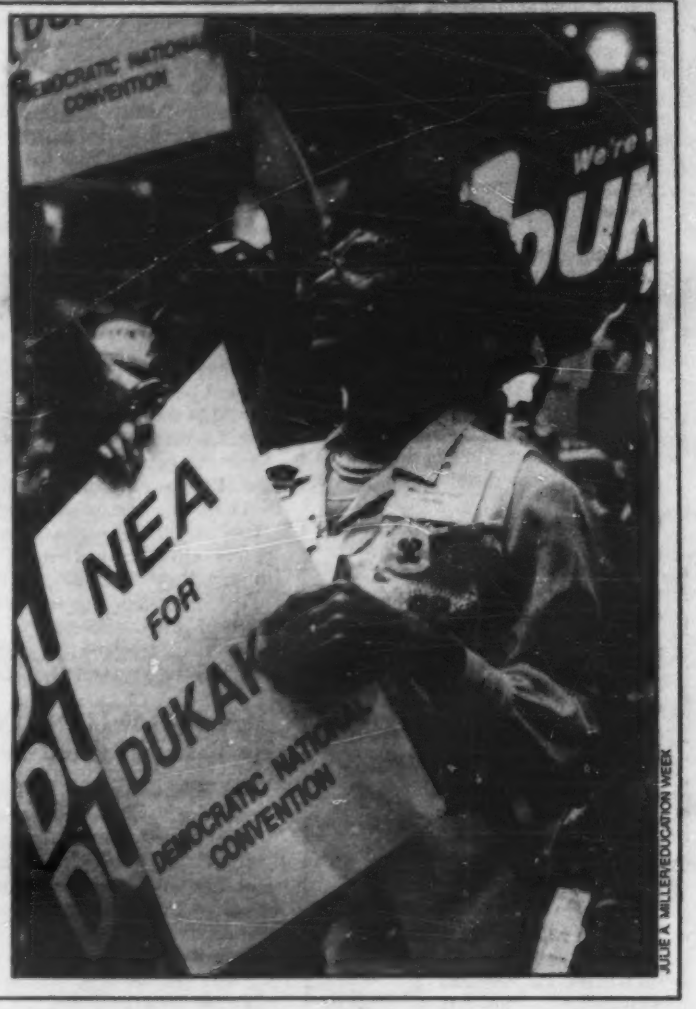


N.E.A.'s Mary Futrell on floor of the Democratic Convention. Reports on teacher conventions, page 16.

## Mississippi To End Standardized Tests For Kindergartners

**By Deborah L. Gold**

The Mississippi Education Department will discontinue statewide standardized testing of kindergarten students next year, amid concerns that its test is shifting the kindergarten curriculum toward formal instruction and away from approaches that allow children to progress at their own rates.

Superintendent of Education Richard A. Boyd said he decided to halt the $47,000 testing program after hearing reports that it had caused some "erosion" in the state's approach to kindergarten, which stresses "active learning" through exploration and play.

According to educators evaluating the program, many teachers felt pressured to stray from such methods and use formal pencil and paper drills in order to help prepare children for the test.

"We have desperately tried to provide kindergarten in a developmentally appropriate manner for children in Mississippi," said Gloria C. Correro, coordinator for the early-childhood curriculum and evaluation center at Mississippi State University. "What was happening was that teachers were letting the test become a curriculum

*Continued on Page 32*

## Judge Rules Records Open to Public In Revocation of Certification Cases

**By Lisa Jennings**

In a case that has pitted Washington State's chief school officer against one of its largest newspapers, a Spokane judge has ruled that the public has a right to view school records when a teacher's certification is revoked.

Thurston County Superior Court Judge Paula Casey handed down the decision in a lawsuit over the right of a newspaper to information on alleged child molesters in the state's public schools. The ruling would allow the Cowles Publishing Company, publisher of *The Spokesman-Review* and *Spokane Chronicle* newspapers, access to school files on 89 cases in the past 10 years in which teachers have either voluntarily surrendered their certificates, or had them revoked by the state office of public instruction.

Newspaper officials requested the access under Washington's open public records act in order to obtain information about teachers accused of sexual misconduct. The public, they argued, has a right to know how the state has handled such cases.

"Over the past few years, we've consistently picked up reports that there are problems in some schools of teachers taking advantage of students," said Chris Peck,

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## Also in the news


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Amid low pay, little respect, its responsibilities swell.

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It includes major salary raises and more authority for teachers.

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Controversial bill provides for state takeover of ailing schools.

**35** **Fresno Tests Job-Training Plan**
Pilot effort pays students for working and learning.


## Pressure To Extend Asbestos Deadline Heeded by Congress

**By Ellen Flax**

WASHINGTON—School officials who were concerned that they would not be able to meet the first deadline of the federal asbestos law this fall have been given a Congressional reprieve.

After months of intensive lobbying by education groups, the Congress voted in June to allow schools that present valid causes for deferral to complete their asbestos inspections and submit the required management plans to their states by May 9, 1989, rather than the original date of Oct. 12.

The revised deadline was signed into law by President Reagan in July.

Groups representing school-board members and administrators had argued since regulations for the Asbestos Hazard Emergency Response Act of 1986 were published that a shortage of qualified consultants in the field and the fiscal constraints of districts might prevent many schools from meeting the measure's tight deadline schedule.

All public and private schools were to have completed their inspections for asbestos by Oct. 12, and to have submitted plans for managing the cancer-causing substance

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## IN SUMMARY

**A Gap in Math Achievement**
Minority students are falling behind white peers in mathematics as early as the 3rd grade, findings from a new study suggest. **Page 7.**

**Least Restrictive, Least Costly**
Mainstreaming is the cheapest method of educating special-education students, according to a new cost analysis. **Page 7.**

**'Honorscam'?**
Bill Honig, California's schools chief, charges that commercial directories that "honor" students are "worthless products." **Page 9.**

**Recruiting Preschoolers**
A substantial increase in early-childhood pupils has pushed independent-school enrollments up by 6 percent. **Page 10.**

**A Truce Over Turf**
The N.E.A. and a government workers' union have agreed to stop competing for school support personnel in four states. **Page 13.**

**More Say for Teachers, Parents**
The Montgomery County, Md., school district has approved a pilot program of school-based management. **Page 15.**

**More Accountability?**
State legislators appear to be favoring smaller increases in education spending and more accountability. **Page 23.**

**No Free Ride**
The Supreme Court has ruled that a school district is not required to provide free bus service to poor families. **Page 37.**

**Rules for Humanities Grants**
The National Endowment for the Humanities has released application guidelines for an array of grant programs. **Page 41.**

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EDUCATION WEEK (ISSN 0277-4232) is published 40 times per year (weekly except for the first week in January, the last week in June, the month of July, the first four weeks in August, and the last two weeks in December) by Editorial Projects in Education, Incorporated. Editorial and advertising sales offices are located at 4301 Connecticut Ave., N.W., Suite 250, Washington, D.C. 20008. (202) 364-4114. Subscriptions: U.S.: $47.94 for 40 issues. Canada: $70.94 for 40 issues. Foreign: $112.94 (airmail) and $80.94 (surface mail) for 40 issues. Second-class postage paid at Washington, D.C., and at additional mailing offices. POSTMASTER: Send address changes to EDUCATION WEEK, P.O. Box 6987, Syracuse, N.Y. 13217. Volume VII, Issue 39, extra edition.

# ACROSS THE NATION

## STATES

### Panel on 'Black Learner' Suggests Yearly Testing in Elementary Grades

Urban school districts in Minnesota should annually assess the educational achievement of all elementary students and develop individualized remediation plans for those who have not mastered grade-level skills, according to a task force created by the state board of education.

The Curriculum Task Force on Educating the Black Learner had been asked by the board to develop strategies to improve the educational achievement of black students. In its report, to be presented to the board on Aug. 9, the panel also recommends that pupil performance on the annual assessments be a factor in teachers' yearly evaluations.

"The position of the task force is that the schools are not doing everything they should be doing to provide a quality education for black students," said Cynthia L. Kelly, an equal-opportunity specialist for the Minnesota Department of Education.

The panel also recommended that the state's teacher-licensing board require teachers to be trained in race relations and multicultural education, Ms. Kelly said.

The report will suggest that prospective teachers be required to do at least part of their student teaching in a school with a culturally diverse student population.

### Alabama Board Drops One Test For Teachers, Is Sued on Another

The Alabama Board of Education has dropped a teacher-certification test that was the subject of a seven-year court battle.

But the board now faces a second racial-bias charge in a lawsuit challenging the use of achievement tests for admission to teacher-education programs.

In a 1985 settlement, the board had agreed to pay damages to blacks denied certification because they failed the state-required exam. It also agreed to change the scoring system used in the test, while proposing to create a new certification test.

The board voted in July to drop the existing test, however, after Gov. Guy Hunt failed to release funds for the development of a new exam. The existing test had a 98 percent pass rate.

The new lawsuit, *Groves* v. *Alabama State Board of Education*, contests a board policy requiring that students score at least 16 on the American College Test to enter teacher-education programs.

The suit, filed in U.S. District Court in Montgomery, asks that the requirement be dropped and seeks compensatory damages for prospective teachers harmed by it. Judge Myron Thompson has set a January 1989 trial date.

### New Jersey School Chief Acts To Prevent 'White Flight'

Education Commissioner Saul Cooperman of New Jersey has prohibited an upper-middle-class white and Asian community from removing its students from a mostly black and Hispanic high school. The proposed withdrawal, he said, would have had a "significant negative impact" on racial balance and educational quality.

The ruling prohibits Englewood Cliffs, a small community with no high school, from ending a 21-year agreement under which it sends high-school students to Englewood's Dwight Morrow High School.

Englewood Cliffs claimed that the school, which is about 66 percent black and 18 percent Hispanic, was educationally deficient. Instead, the community proposed to send its students to Tenafly High, which is 80 percent white and 18 percent Asian.

The ruling also prohibits the Tenafly district from accepting any more tuition-paying students from either Englewood Cliffs or Englewood, on the ground that the policy "would give state sanction to white flight."

Mr. Cooperman said that under state laws he had "a heavy responsibility to vigorously and aggressively combat threats to racial balance in our schools." That duty, he said, took precedence over both a district's right to end "sending-receiving" relationships, and the rights of parents to send their children to schools outside their district. He also found that Dwight Morrow provides a "more than adequate" college-preparatory education..

**■ The annual textbook-adoption debate has begun in Texas, the nation's largest single purchaser of school texts.**

Witnesses at July hearings told the state selection committee that junior- and senior-high literature texts offered only "depressing" fare. Recalling that she had laughed only once in reviewing a number of books, one parent said: "Why are you trying to make the lives of our children so miserable? I challenge you to bring something pleasant into the classroom."

Books on the state's approved list will be selected by districts for use between fall 1989 and spring 1996. The state is expected to spend some $115 million this year for textbooks on literature, foreign languages, science and mathematics, and other topics.

**■ Wilmer S. Cody, Louisiana's education superintendent, has asked a state panel not to require students to pass a standardized examination to graduate in 1990.**

The state Board of Elementary and Secondary Education approved an 11th-grade exit test in 1984, but could not afford to have the test prepared until recently. Mr. Cody said the board had not formally notified high-school juniors that it intended to require them to pass the test and thus should set the graduation requirement ahead to apply to the class of 1992.

In making his request, Mr. Cody cited a July opinion by state Attorney General William J. Guste Jr. that the current schedule could violate students' due-process rights and "certainly invites challenges based on a lack of notice."

**■ Idaho's highest court has ruled that Boise school officials erred when they did not place a handicapped boy in a regular classroom in his neighborhood school.**

The Idaho Supreme Court, in a 3-to-2 decision, said Boise school officials violated federal special-education law by offering only a segregated classroom placement for Gabriel Thornock, a 15-year-old student who was born with severe multiple handicaps.

The court said school officials must have "justifiable reasons" for failing to place Gabriel and other handicapped students like him in the "least restrictive" classroom environment whenever possible.

The student's mother had been paying to have her son taught in a regular classroom in a local parochial school since 1982.

**■ The Southland Corporation has acknowledged that it was part of a conspiracy to fix the price of milk sold to Florida public schools.**

## *They Made a Joyful Noise*

WILLIAM A. MILLER/THE WASHINGTON POST

**Parents and friends turned out at Dulles Airport last week to welcome the 54-member choir of Washington's Eastern High School home from a triumphant visit to Europe. The inner-city-school choir won second place at one of the world's most prestigious music competitions for young people—the International Youth and Music Festival in Vienna. Some 37 of the world's best high-school music ensembles participated in the contest. The students had to raise $160,000 to make the trip, while practicing four hours a day, five days a week for five months.**

# Sea-Study Park a Catch for L.A.

Officials of the Los Angeles Unified School District—attempting not to look a gift horse in the mouth—are trying to turn it into a sea horse.

They are proposing to construct a "multipurpose educational park" combining a marine-research center and an environmental-education facility on the site of a former Army post overlooking the Pacific Ocean.

The property was a gift from the federal government that could be rescinded if the district fails to make use of it soon.

The proposed park would operate as a facility for the study of injured marine animals and a center for research activities of university science departments and environmental-research groups.

In addition, students from the Los Angeles schools would visit the research center and an outdoor education park designed for environmental studies.

The federal government, which gave the 52-acre San Pedro parcel to the district in 1979, has given tentative approval for the project.

The parcel originally was ceded to the school district for construction of a high school. The school was never built, however, and district officials had to come up with an alternative plan or return it to the federal government.

The U.S. Education Department has accepted the plan for the park, provided the district makes significant progress on it soon. The department will make a final decision later this year.

The district already has earmarked $5 million for the project. Harcourt Brace Jovanovich, Inc., the publishing firm that also owns the Sea World theme parks in San Diego and Orlando, Fla., has promised $3 million. Other corporations and foundations have pledged $1 million. And officials hope to obtain another $1 million from the sale of land the district won in a lawsuit.

Under the proposal, an existing adult-education facility located on the site, the San Pedro-Wilmington Skills Center, also would be expanded to emphasize training for jobs in the marine industry.

If the park is given final approval this year, it could open in phases beginning about 1991, district officials said. They hope to develop and operate it solely with donated funds.

dicapped, even though other doctors diagnosed the boy as reading-disabled. Following the teachers' recommendations, the couple asked a physician to prescribe the drug, which is a controversial medication used to treat attention-deficit disorders in children. The Cothrans say the drug caused their son to be disoriented.

The school district has denied that teachers gave the parents medical advice.

■ **The state board of regents is not doing enough to help troubled schools in New York City, according to a report by the state comptroller's office.**

The audit charges that the board of regents, which oversees the state department of education, overemphasizes support for suburban and upstate districts at the expense of the city's schools.

In one example cited in the audit, the department had assigned 16 education specialists to assist 45 low-performing schools outside the city, but only 11 for the 400 such schools within the city.

A new study by a New York City watchdog group projects that about 26 percent of the city's high-school students will fail to graduate within four years.

■ **Black leaders in Houston are pondering a campaign to carve out a separate school district in the inner city.**

Consideration of a break-away district—an idea that mirrors proposals being discussed in several other cities—has been spurred by anger at Superintendent of Schools Joan Raymond's plans to transfer a number of black administrators to new jobs within the Houston Independent School District.

State Representative Al Edwards will head a committee to study the separate-district proposal. Some black leaders have accused Ms. Raymond of racism, on the grounds that the new jobs given black administrators provide them with little real power.

■ **More than half the children entering the Chicago public schools are unable to recite their first and last names, speak in complete simple sentences, sit still for a brief story, identify colors, or draw stick figures,** according to a recent *Chicago Sun-Times* survey of kindergarten teachers.

The newspaper poll found dramatic differences between Chicago kindergartners and those of nearby Wilmette. Kindergarten teachers in that affluent suburb said almost all their students had the basic skills needed to begin school work.

■ **For the first time in more than a decade, the St. Paul school system will provide counselors for troubled elementary-school students.**

Under a proposal approved by the school board, the system will hire two elementary-school counselors, one with school-district funds and another with federal funds earmarked for early-intervention programs.

The Citizens Budget and Finance Committee, a panel of teachers, parents, and citizens appointed by the board, had proposed that the district hire four to six such counselors.

■ **Criticism by the state education department of vocational and career education in Boston has spurred city officials to consider taking control of some school-system programs.**

Mayor Raymond L. Flynn's employment commission held a hearing in late June to examine why vocational programs in a city with a large and growing labor shortage nevertheless were experiencing sharp decreases in enrollment.

A recent state report had chided school officials for administrative delays and budget cuts, which it said had harmed the city's main vocational school, the Hubert Humphrey Occupational Resource Center.

The employment commission is expected this month to recommend improvements in the city's employment-training system.

■ **Dearborn, Mich., school officials are working with students and parents to head off any problems when they begin busing Arab-American pupils this fall.**

The new busing plan, aimed at reducing overcrowded conditions in three schools with large Arab-American enrollments, will transfer up to 450 students to four schools with low enrollments of such students.

The Detroit suburb has the nation's largest population of Arab-Americans.

## UPDATE

■ **Federal and state prosecutors in New Jersey have charged a dozen school officials and bus contractors in a widening statewide investigation of corruption in the pupil-transportation industry.**

The probe began with allegations of theft and bribery in the Woodbridge school district. *(See Education Week, April 13, 1988.)*

The latest round of accusations, brought against officials of six school districts in July, indicates a "very disturbing pattern of corruption," according to U.S. Attorney Samuel A. Alito Jr.

■ **A federal appeals court has upheld a lower court's order requiring a suburban Philadelphia school district to allow a performance by a Christian magician in a school auditorium.**

In a one-sentence ruling issued June 16, the appellate panel supported U.S. District Judge Louis C. Bechtle's temporary restraining order last year forcing the Centennial School District to allow a Halloween-night performance by an illusionist affiliated with Campus Crusade for Christ. The district had attempted to bar the event, citing its policy forbidding the use of school facilities for religious services, instruction, or activities. *(See Education Week, Nov. 4, 1987.)*

Judge Bechtle has indicated that he will issue a permanent injunction against the district's policy prior to the start of the upcoming school year.

■ **The nation's Roman Catholic bishops have reached a compromise on teaching about the use of condoms to prevent the spread of AIDS.**

At a June 27 meeting, the bishops let stand a controversial church document suggesting that information about condoms may be included in AIDS-education programs. But they also agreed to work on a further clarification of their policy. *(See Education Week, Jan. 13, 1988.)*

■ **A federal appeals court has overturned a jury verdict ordering the Hawkins County, Tenn., school board to pay $70,000 to a parent involved in a dispute over textbooks.**

The U.S. Court of Appeals for the Sixth Circuit ruled in July that Vicki Frost's constitutional rights were not violated when she was arrested for trying to remove her daughter from a 2nd-grade reading class at Church Hill Elementary School.

In the wake of the November 1983 incident, Ms. Frost had sued local school and law-enforcement officials, on the grounds that she had been wrongfully deprived of custody of her child.

Ms. Frost was the spokesman for a group of parents who, in a separate suit, sought to have their children exempted from reading classes because certain textbooks violated their religious beliefs. The Sixth Circuit Court ruled against the parents last year. *(See Education Week, Sept. 9, 1987.)*

■ **Virginia education officials envision "parent resource centers" as one way of tackling the state's special-education problems.**

Staffed by parents, centers in each school district would provide information and assistance to the families of special-education students.

The proposed centers, outlined in a June 23 report to the state school board, were among several steps proposed in response to criticisms in two recent reports of Virginia's education programs for the handicapped. *(See Education Week, April 6, 1988.)*

The officials also proposed that the state step up its monitoring of special-education programs in local schools and provide in-service training in special education to all teachers.

## DIMENSIONS

### Maintenance & Operations Costs Expressed in Dollars per Student

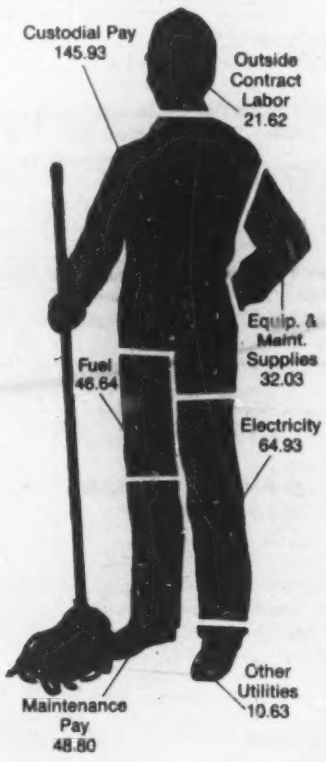
School administrators budgeted a median average of $466 per student for maintenance and operations expenditures in 1987-88, *American School & University* magazine reports. That figure represented about 13 percent of districts' net current expenditures (costs excluding capital outlay and debt service), the magazine calculates on the basis of a national survey of public- and private-school business officers.

The survey, which asked for the first time how much officials invested in contractual maintenance services, revealed that they budgeted about 31 percent of their total maintenance-labor dollars for contracted services.

It also found that:

- Custodians and maintenance workers earn the highest median pay—$21,973—in the region that includes Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin; the lowest—$15,333—in the region including Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.
- The New York, New Jersey region ranks highest in median expenditures for custodial payroll, contract labor, fuel, electricity, and overall operations.

The accompanying graphic shows the median cost per pupil of the maintenance costs that make up the $466 figure.




Median Costs per Student

# School Nurses Seek Broader Role In Wake of New Health Concerns

By Nancy Mathis

ANAHEIM, CALIF.—Voicing frustration over the misperceptions they say have limited both pay and respect for their profession, school nurses have put self-promotion high on their agenda for the coming year.

Participants at the annual meeting of the National Association of School Nurses here said that despite the rising significance of health concerns in schools, most administrators still view the delivery of health services as "a fringe."

"They want to narrow the nurse's role to a specific duty," said Beverly Farquhar, the group's executive director, "but our role has expanded."

Dealing effectively with such problems as AIDS, teen-age pregnancy and suicide, child abuse, drug use, and changes in the ability of families to monitor children's health needs will require, she said, that school nurses be involved in duties that go well beyond "putting on a Band-Aid or doing sports physicals."

Their role should include, in addition to the traditional screenings and first-aid, more emphasis on preventive medicine, counseling, community outreach, and teaching, she and others said.

### 'The Health Manager'

"We should be the health manager and the leader of the health-care team," argued Lynne Gustafson, the group's outgoing president. She said that the school nurse can play a valuable collaborative role with educators because she has, ideally, gained "educational skills and professional expertise in many areas, especially child development."

Said the incoming president, Vivian Haynes: "The school nurse is the nonevasive, nonthreatening liaison between the school and the community."

To advance this multifaceted view of the profession,, the organization is working with a public-relations firm on a possible advertising ca .paign and plans to increase its visibility this year at meetings of the American Association of School Administrators.

Leaders of the association, whose 5,000 members include only registered nurses, said they hoped increased collaboration with the school administrators' group would help dispel stereotypes and raise professional standards in their field.

The approximately 30,000 school nurses nationwide, they said, now represent a range of experience and expertise, with some states allowing licensed practical nurses or paramedics to fill such jobs and others requiring baccalaureate-level training.

But according to Ms. Gustafson, the field's increasing demands are pushing school nurses into a period of professionalization similar to that occurring in teaching.

"Do you remember when teachers went to normal schools and had trouble upgrading people's skills to a level that would be recognized as that of a profession?" she asked. "I think we are paralleling that right now."

But the movement to professionalize, nurses said here, is both driven and thwarted by pressures stemming from inadequate staffing, dramatically altered functions, and poor job security.

### Uneven Commitment

In addition to changes in the attitudes of school administrators, the N.A.S.N., which met here June 28-July 2, is seeking to increase the modest support most states have given school nursing. This is especially important, leaders noted, because of efforts to teach greater numbers of severely handicapped children in regular classrooms.

Currently, Ms. Gustafson said, the commitment to school programs is uneven at both the state and local levels. "There is no common denominator," she said, adding that some districts have excellent programs while others offer little support.

"When you have school nurses available only with local monies, the poor school districts are the least able to support nursing positions," noted MaryEllen Hatfield, a consultant to schools in South Carolina, where the provision of nursing services is optional. In those districts, she added, the school nurse may often be "the only health-care professional many children see."

Only 11 states now mandate that districts provide access to school nurses. The association's goal is to have all 50 states require at least one nurse in every district.

But reaching this goal will still leave many school systems far short of meeting the association's recommended ratio of one nurse for every 750 students. In some locations, especially isolated rural areas, the ratio can jump to one nurse for every 20,000 children or more, officials here said.

Judy Ressallat, chairman of the association's legislative committee, suggested that the public is not only ill-informed about what school nurses can offer but also "unaware of the cost-effectiveness of their services."

Ms. Gustafson illustrated the primary consequence of such misinformation—understaffing—by relating her encounter with one enthusiastic teacher who said she was thrilled that, finally, a school nurse was making regular visits to her building.

"I asked her how often," Ms. Gustafson recalled, "and she said twice a month. What kind of impact can you have twice a month? To us, that's not school nursing."

### Care-Giver and 'Confidante'

What school nursing is has been evolving since the field's recorded beginnings at the turn of the century.

New York City hired the first school nurses in 1902 as a way to combat communicable diseases among immigrant children, according to the N.A.S.N. The 26 nurses hired that year were able, through a combination of primary health care and efforts to educate both staff members and parents, to lower the incidence of such diseases dramatically—from 10,567 cases to 1,101.

But with the development of immunizing vaccines and improvements in health-care delivery, school administrators slowly began to relegate the nurse's role to what Susan Lordi, a California consultant, called "a much more mechanical function."

Today, school nurses are seeking to go beyond such traditional duties as screening for vision and hearing loss, checking immunization records, administering first-aid and other needed medical procedures, and managing health crises.

They view themselves, nurses here said, as integral parts of the educational process. They pointed to colleagues' work in many quarters to help develop AIDS-education and other health courses. But they also argued that the learning process depends on the maintenance of good health among both teachers and students.

"The bottom line," said Ms. Gustafson, "is that if a child can't attend school because of a physical illness he can't learn."

Others stressed the importance of school nurses' role as independent advocates for and confidantes of

*Continued on Page 12*

**Registered Nurses in Schools: A Demographic Profile**

**AGE**

| | Percent | | Percent |
|---|---|---|---|
| 25-30 | 22% | 41-50 | 30% |
| 31-40 | 32 | 51-60 | 42 |
| | | Over 60 | 6 |

**EXPERIENCE**

| Years | Percent | Years | Percent |
|---|---|---|---|
| 1-5 | 14% | 11-15 | 18% |
| 6-10 | 29 | 16-20 | 17 |
| | | Over 20 | 21 |

**SALARY RANGES**

| Amount | Percent | Amount | Percent |
|---|---|---|---|
| Under $10,000 | 4% | $25,001-30,000 | 32% |
| 10,001-15,000 | 11 | 30,001-35,000 | 12 |
| 15,001-20,000 | 17 | 35,001-40,000 | 5 |
| 20,001-25,000 | 3% | Over 40,000 | 3 |

**SCHOOL SERVED**

| Number | Percent | Number | Percent |
|---|---|---|---|
| 1 | 43% | 4 | 6% |
| 2 | 19 | 5 | 8 |
| 3 | 14 | 6 | 10 |

**STUDENTS SERVED**

| Number | Percent | Number | Percent |
|---|---|---|---|
| 1-1,000 | 40% | 3,001-4,000 | 4% |
| 1,001-2,000 | 26 | 4,001-5,000 | 1 |
| 2,001-3,000 | 19 | Administrators | 5 |

SOURCE: National Association of School Nurses

**Protest Over Medicine Policy Spurs First Amendment Suit**

# 'Advocate for Children' Fights for Her Job, Rights

ANAHEIM, CALIF.—Ellen Johnsen's colleagues praise her as a pioneer and "an advocate for children," as her new plaque from the National Association of School Nurses phrases it.

But the Oklahoma school officials who fired Ms. Johnsen five years ago have another description. They say she was a troublemaker who disrupted the nursing staff with repeated challenges to the system's policy on dispensing medications.

The district and Ms. Johnsen are currently locked in a long-running legal battle whose outcome could have consequences for other nurses working in public schools.

At stake is a public employee's First Amendment right to speak out—even if doing so would violate the harmony of the workplace—against practices that could endanger lives.

### Observations Alarmed Her

The case began in 1982, when Ms. Johnsen, who had been a school nurse for 10 years in New Jersey, took a job with the suburban-Tulsa district of Broken Arrow so that her children could attend Oral Roberts University.

She became alarmed, she said at the N.A.S.N. meeting here, when she discovered that nurses in the Oklahoma district were allowed to dispense over-the-counter medications to students without a doctor's written authorization. They also routinely dispensed prescribed medications in a haphazard fashion, she said.

Children, according to Ms. Johnsen, would bring medicine that was to be administered to them by the nurses during the day "in foil paper, in tupperware containers, in used medication jars."

She added: "Medicine such as valium, antibiotics, and other potent drugs was being brought by the children without any prescription."

In one incident Ms. Johnsen recalled, a child brought what appeared to be a 250-milligram tablet of Thorazine, which is a powerful tranquilizer used for treating psychotic reactions. When she called the mother to verify whether the child was in fact to receive the pill, the mother discovered that the wrong medication had been inadvertently carried to school.

### A Public Protest

What Ms. Johnsen viewed as the potentially disastrous consequences of the district's loose guidelines in this area led her to protest the policy internally and then at a public meeting.

She contended that the policy was illegal and that, by forcing nurses to conform to it, the district put them in an ethically untenable position.

Both the state's Nurse Practice Act and standard nursing procedure, she argued, require that a doctor's permission be given before nurses can hand out over-the-counter medication. After consulting with a lawyer and contacting the state nursing board, she appeared before a school-board meeting, telling those present that nurses were "indiscriminately" handing out medicine to children.

For school officials, that action was the final breach of professional conduct in a campaign of divisiveness they accused Ms. Johnsen of waging against the school system. They fired her, the officials have claimed in court, because she sowed dissension among the nursing staff.

Ms. Johnsen said that her fellow nurses were intimidated by her actions because they feared the policy debate would endanger their jobs.

### Free Speech or 'Efficiency'?

In 1986, a federal jury in Tulsa sided with Ms. Johnsen, saying that the Broken Arrow Public Schools had violated her First Amendment right to freedom of speech. Their verdict was overturned by the presiding judge, however, who ruled that Ms. Johnsen's exercise of free speech had created such discord among staff members that it was not protected by the First Amendment.

Nurses and educators are awaiting the outcome of legal arguments to be presented this fall before the U.S. Court of Appeals for the 10th Circuit in Denver.

"If I win, it means there will be a precedent to help nurses and defend them in their First Amendment right to speak out against dangerous and illegal practices," Ms. Johnsen said here. "If I lose, it means there will be a precedent to protect institutions when employees speak out."

Broken Arrow school officials declined to comment on the case.

In overturning the jury verdict, U.S. District Judge Thomas R. Brett held that Ms. Johnsen's "speech disrupted the operation of the school system, undermined the authority of the administration, and significantly impaired the close working relationship among the health-services staff."

Judge Brett cited the 1968 U.S. Supreme Court decision in *Pickering v. Board of Education*, which provides for a balance of "the interests of the teacher, as a citizen, in commenting upon matters of public concern and the interest of the state, as an employer, in promoting the efficiency of public services it performs through its employees."

After Ms. Johnsen's contract was not renewed in the spring of 1983, he pointed out, the state's attorney general issued a legal opinion stating that the Broken Arrow school policy conflicted with state law.

Several districts subsequently changed their medicine policies and the Oklahoma legislature enacted a law giving school nurses the authority to dispense nonprescription medicine with parental consent only and exempting school nurses from civil liability.

The district judge's ruling, if upheld, would have a chilling effect on the free-speech rights of all public employees, said Ms. Johnsen's lawyer, Louis Bullock.

"Our position was that anytime you raise important issues there is going to be a disruption," Mr. Bullock said. "I see it as the very reason speech should be protected." —N.M.

# School Nurses Press for Broader Role

*Continued from Page 11*

children. As Laura Rima, a practitioner in Fairbanks, Alaska, explained, students who visit the school nurse "often have a hidden agenda."

"We go into the room, shut the door, and have a chat," she said. "Kids know there are safe places to talk, things are confidential."

### More Jobs, Less Pay

The passage in 1975 of the federal Education for All Handicapped Children Act, P.L. 94-142, added further complications to the health-care functions of schools, participants noted, by requiring that districts provide services to make it possible for even severely impaired pupils to take part in public education.

In many districts, teachers—not school nurses—have been asked to perform complicated medical procedures, such as cleaning tracheal tubes and applying catheters, in order to make this participation possible.

School nurses have joined with teachers' groups in opposing this practice. But some here acknowledged that even in districts where school nurses are available, they often do not have time to tend to the needs of the medically fragile child.

Nor has the addition of such responsibilities as care for the medically fragile, they said, meant salary increases for school nurses, whose pay has not kept pace with that of educators. The N.A.S.N. has made achieving pay equity one of its chief goals.

According to Ms. Gustafson, the nurse is often the lowest-paid professional in the school building and also earns less than her hospital counterparts.

Pat Donovan, a former pediatric nurse, said she took a $15,000 pay cut to work for the Westbrook school district in Portland, Me. But the chance that job has given her to "impact change," she says, has left her with few regrets.

Others cite the greater independence and better hours as reasons they prefer the school nurse's job to positions in hospitals, despite the pay differential. Although a few states, such as California, are witnessing the beginnings of a school-nurse shortage, most districts have found it relatively easy to fill positions.

But officials here stressed the importance of filling such positions with registered nurses, rather than paraprofesionals with little training. Liability has not yet been an issue in the field, they said, with no known malpractice suit against any school nurse. But providing the degree of care the times demand, they said, necessitates higher levels of training

The N.A.S.N. estimates that two-thirds of the school nurses now employed are registered nurses.

### Job Security Key Issue

The results of a survey conducted by the association last year and released at the conference show that job security, not salary, is members' number-one concern.

They must cope, participants here said, with the uncertainty of not knowing from year to year whether their jobs will be eliminated in favor of other state or school budget priorities.

Ms. Farquhar argued that school nurses "should be a part of the line item" in state budgets "and not the bottom line where they cut."

But school nursing remains a budget item that many legislators deem expendable.

In July, the legislature in financially troubled Louisiana eliminated state funding for the 199 school nurses employed by local parishes. They voted to refunnel 75 percent of the $2.9 million budgeted for that program back to local school districts as a block grant.

According to Edia Harris, who headed the school-nurse program and lost her job in the legislative reshuffling, the education department tried "to impress upon the parishes" the need to continue funding at the local level. The state's high unemployment rate, she said, has made it difficult for many parents to provide health care for their children and losing the school-based services will be "a hard blow."

In California, the budget-tightening that followed passage in the 1970's of Proposition 13, a tax-limitation measure, thinned the school-nursing ranks.

Dorothy Strand, a nurse in Orange County, Calif., recalled at the meeting that the number of nurses serving the 25,000-student district was reduced from 18 to 4. Three of the casualties were later rehired, she said, but "people don't realize we are no longer able to do any classroom teaching because there aren't enough of us."

Cost-cutting at the district and building level has led some administrators to contract for limited nursing services, or to employ what are known as emergency medical technicians to fill nursing positions.

The N.A.S.N. objects to contracting arrangements, in which outside nurses are hired by districts only to provide screening or other services, because they cannot offer what N.A.S.N. leaders say is the essence of school nursing: continuity of care.

The association's members are more adamant, however, in their insistence that poorly trained candidates should not be hired to fill school-nurse positions. Only registered nurses, they say, can properly conduct the screening, assessment, and follow-up procedures that are the field's basics—or serve as case managers in the expanded, collaborative role they say school nurses should play.

"There really needs to be somebody who is a skilled health professional in the schools," said Carol Iverson, who was named the association's School Nurse of the Year. "Health aides cannot be educated to look for those sophisticated changes in the health and development of children."

Ms. Iverson offered a dramatic illustration of her argument: She accurately diagnosed a brain tumor in a student whom school officials had suspected of suffering from an intense school phobia.

She made the diagnosis, she said, from one comment by a teacher—a description of a peculiar type of vomiting the boy had displayed. From her reading, Ms. Iverson knew that that symptom was traceable only to a brain tumor.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